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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/941,512	08/28/2001	Reem Safadi	10622-9US	6812

570 7590 04/22/2004

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EXAMINER	
LEHNER, WILLIAM P	

ART UNIT	PAPER NUMBER
2671	9

DATE MAILED: 04/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/941,512	SAFADI ET AL.	
	Examiner	Art Unit	
	William P Lehner	2671	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *31 December 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-44* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-44* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *09 May 2002* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *6*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. Applicant's arguments, see pages 12-14, filed on 12/31/03, with respect to the rejection(s)of claim(s) 1-44 under Tsunoda have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Ramage.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 13, 31, 35, 38, 39, 41, 42, and 44 are rejected under 35 U.S.C. 102(b) as being anticipated by Ramage (4790028).

4. In regard to claims 1, 35, 41 and 44, A method of enlarging a digital image displayed in a graphical user interface (GUI), A user selects an area of an image to be magnified (column 8, lines 21-46). This is a GUI because the user may interact with the computer via a keypad or graphics displayed on a touch screen. The method comprising: (a) selecting for enlargement a portion of an original image displayed in the GUI; The portion for enlargement is selected (column 8, lines 41-46). And (b) displaying, adjacent to an enlarged image of the selected portion, an image of the remaining portion of the original image that was not selected for enlargement, Both the selected, magnified portion and the non-selected portion are displayed (column 1, lines 45-51 and FIG 3). Note that spatial relationships and the total display area is preserved (column 1, lines 6-14). This is accomplished through variable

scaling wherein the non-selected portion is compressed but the mean magnification across the entire image equals one. The two portions are displayed adjacent on all four sides (FIG 3). The user may select for enlargement any position on the display screen, and it will always be adjacent to the non-selected portion because it will either be inset as in FIG 3, or along an adjacent edge or corner of the display screen. Wherein the remaining portion does not include image data displayed by the enlarged image. The non-selected portion does not include image data displayed by the enlarged image because spatial relationships are preserved (FIG 3).

5. In regard to claim 13, The method of claim 1, wherein the remaining portion is not obscured by the enlarged image, and the enlarged image is not transparently superimposed on the remaining portion. The non-selected portion is displayed in its entirety and not obscured or transparently superimposed (FIG 3). Instead, the non-selected portion is either compressed slightly and a transition area is slightly distorted, or compressed greater with no distortion.

6. In regard to claims 31 and 42, A method of displaying a digital image, the method comprising: (a) displaying an original image having a plurality of image portions selectable for enlargement; The grid of FIG 3 shows a plurality of selectable image portions. (b) selecting one of the image portions; and (c) displaying, adjacent to an enlarged image of the selected image portion, the remaining selectable image portions that were not selected. The selected portions are enlarged and displayed adjacent to the non-selected portions (FIG 3). Also, see the remark about claim 1, above.

7. In regard to claim 38, The method of claim 31, wherein the plurality of selectable image portions in step (a) are substantially of equal size. The selectable portions of FIG 3 were of equal size prior to enlargement. The grid of screen coordinates characterizes equal sizes.

8. In regard to claim 39, The method of claim 31, wherein the enlarged image is displayed in a window larger than windows

containing the remaining selectable image portions. The selected portions are much larger than non-selected portions when each grid square is considered a portion (FIG 3). Additionally, the user chooses the size of the magnified are and the size of the transition area (column 8, lines 46-53).

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

10. Claims 2, 14, 15, 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ramage (4790028).

11. In regard to claim 2, The method of claim 1, further comprising: (c) determining if there is hidden supplemental data that corresponds to the selected portion, and, if so, the enlarged image revealing the hidden supplemental data. Ramage describes a complex surveillance or control system with many components. Selecting portions of the display presents detail data such as component status, temperatures, flows, and other parameter values for the portion of interest (column 9, lines 3-36). Because there is a large number of tanks, pumps, valves and other components in this complex system, it is practical to hide this detail data until the component of interest is selected.

12. Although detail data is presented upon selection for magnification, Ramage does not explicitly determine if there is hidden supplemental data. The supplemental data is fed into the computer through sensors monitoring various components (column 9, lines 29-34). It would have been obvious to determine if the data exists because this would

allow the system to reduce processing or, if there is no detail data present the system will not have to generate the magnification window and associated images. Further, since the system does display the detail data it can be argued that the system will determine the presence of the detail data and such is displayed when the item is selected.

13. In regard to claim 14, A method of enlarging a digital image displayed in a graphical user interface (GUI), the method comprising: (a) selecting for enlargement a portion of an original image displayed in the GUI; Note the above rejection to claim 1.

14. (b) determining if there is hidden supplemental data that corresponds to the selected portion; and (c) if it is determined that there is corresponding supplemental data, displaying an enlarged image of the selected portion, the enlarged image revealing the hidden supplemental data. Note the rejection to claim 2.

15. In regard to claim 15, The method of claim 14, the method further comprising: (d) displaying, adjacent to an enlarged image of the selected portion, an image of the remaining portion of the original image that was not selected for enlargement, wherein the remaining portion does not include image data displayed by the enlarged image. Note the rejection to claim 1.

16. In regard to claim 29, Apparatus for enlarging a digital image displayed in a graphical user interface (GUI), the apparatus comprising: (a) a first memory location that stores image data of a portion of an original image displayed in the GUI and selected for enlargement; (b) a second memory location that stores image data associated with the remaining portion of the original image that was not selected for enlargement; and (c) a processor that (i) retrieves the image data of the selected portion from the first memory location, (ii) retrieves the image data of the remaining portion from the second memory location, (iii) reconfigures the image data such that the remaining portion is displayed adjacent to an enlarged image of the selected portion, and (iv) instructs the GUI to display a modified image based on the reconfigured image data, wherein the remaining portion does not include image data displayed by the enlarged image. Note the

above rejections to claims 1 and 2. Ramage describes an apparatus with a processor that retrieves image data from memory and displays it on a monitor (FIG 7, elements 26, 28, 36).

17. Claims 3-5, 16-18, 30, 32-34, and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ramage (4790028) in view of Yun (6700624).

18. In regard to claims 3, 16 and 32, The method of claim 2, further comprising: (d) storing image data of the selected portion in a first memory location; (e) storing image data of the remaining portion in a second memory location; Ramage stores image data in memory 26 (column 8, lines 24-27). The image area is divided into segments, and each segment has both a scaling function and a transformation function (Ramage, column 8, line 54 – column 9, line 2). These image segments must be resident in their own memory for the functions to be calculated.

19. And (f) storing in a third memory location a table that correlates hidden supplemental data with selected image portion identification data. Ramage feeds supplemental data corresponding to displayed components into a computer from sensors (column 9, lines 29-34). Ramage does not use a table for correlation.

20. Yun describes an EPG with a Event Information Table (EIT) that correlates a event ID/ broadcast program ID with supplemental data about the TV signal such as if it is in High Definition (column 5, lines 19-30). The EIT table also stores program-related information capable of guiding EPG viewers to broadcast programs (Yun, column 3, lines 1-15 and FIGs 3 and 4). The EIT table is the third memory location.

21. Yun's EPG is shown in FIG 2. The program-related data is hidden and not shown. It is conventional in the art to overlay the supplemental, program-related data and an enlarged program title over the EPG listings upon selection of a program. Alternatively, it would have been obvious to incorporate Ramage's magnification method

with an EPG because the EPG listings are not obstructed by supplemental data. A user would select a program title from the EPG so that the title is magnified and supplemental data about the program is displayed. This is advantageous because viewers could read the supplemental data and at the same time could see and select what is on other channels.

22. In regard to claims 4, 17 and 33, The method of claim 3, further comprising: (g) retrieving the image data of the selected portion from the first memory location; (h) retrieving the image data of the remaining portion from the second memory location; The image data for both portions is retrieved from memory and displayed (Ramage, column 8, line 62 – column 9, line 2). (i) reconfiguring the image data such that the remaining portion image is displayed adjacent to an enlarged image of the selected portion; The image is reconfigured through scaling and translating. The enlarged portion is displayed adjacent to the non-selected portion (Ramage, FIG 3). And (j) instructing the GUI to display a modified image based on the reconfigured image data. The signals from the display generator are instructions to display the transformed or modified image (Ramage, column 8, line 62 – column 9, line 2).

23. In regard to claims 5, 18 and 34, The method of claim 4, further comprising: (k) searching the third memory location to determine if there is hidden supplemental data that corresponds to the selected portion; Ramage displays detail data (column 9, lines 3-36). Yun teaches Ramage to store corresponding supplemental data in a third memory location (see claim 3). It would have been obvious to search this table to determine if supplemental data exists because then the computer would know to read the table. (l) incorporating hidden supplemental data found in the third memory location that corresponds to the selected portion into the enlarged image; and (m) instructing the GUI to display the enlarged image, wherein the incorporated hidden supplemental data is revealed. Ramage displays the enlarged image incorporating detail data (column 9, lines 3-36 and FIG 3).

24. In regard to claim 30, Apparatus for enlarging a digital image displayed in a graphical user interface (GUI), the apparatus comprising: (a) a first memory location that stores image data of a portion of an original image displayed in the GUI and selected for enlargement; (b) a second memory location that stores a table that correlates hidden supplemental data with selected image portion identification data; and (c) a processor that (i) searches the second memory location to determine if there is hidden supplemental data that corresponds to the selected portion, (ii) incorporates any hidden supplemental data found in the second memory location that corresponds to the selected portion into the enlarged image, and (iii) instructs the GUI to display the enlarged image, wherein the incorporated hidden supplemental data is revealed by the enlarged image. Note the above rejections to claims 5 and 29.

25. In regard to claim 36, The method of claim 31, wherein the digital image is an electronic programming guide (EPG). Yun modifies Ramage to magnify an EPG (Yun, column 5, line 20 and FIG 2).

26. Claims 6-11, 19-28, 37, and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ramage (4790028), in view of Yun (6700624), in view of Rodriguez (20030005453), and in further view of Killian (6163316).

27. In regard to claims 6 and 19, The method of claim 2, further comprising: (d) a service provider offering a subscriber access to an enlargement feature of the GUI which implements method steps (a)-(c); Ramage implements steps (a)-(c) but does not offer to sell features to subscribers. Rodriguez teaches that a service provider can offer services for users to download after they have accepted the offer (FIG 28 and page 2, paragraph 36). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Ramage and Yun to allow users to buy services from a service provider as taught by Rodriguez because this allows service providers to make

more money. Further, both Yun and Rodriguez are directed to devices that conventionally make up cable boxes which allow users to select channels and order pay-per-view and video on demand programs.

28. And (e) in response to the subscriber accepting the offer of step (d), downloading an enlargement feature application program to a local device that controls the GUI. Ramage, Yun, and Rodriguez do not download enlargment applications. Killian teaches downloading software to a local TV receiver. The software is a JAVA toolkit that allows applets and applications to run, allowing users to more intelligently select and schedule viewing opportunities according to listing information (Killian, column 6, lines 32-56 and FIG 2). The toolkit includes an EPG API with software for retrieving and manipulating program listing information (Killian, column 7, lines 49-58). Ramage's magnification software would allow users to more intelligently select viewing opportunities because the detail data and magnification does not obscure the listings of other channels and times as is conventional in the art. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Ramage, Yun, and Rodriguez to download an application that magnifies an EPG because this allows users select viewing opportunities more intelligently and Killian, like the other references, is directed to a cable box type of system.

29. In regard to claims 7 and 28, The method of claim 6, wherein the enlargement feature is controlled by a wireless pointing device operated by the subscriber. Rodriguez teaches that a remote control device 480 may be used to interact with a user and that keys correspond to commands to the processor (page 6, paragraph 65 and FIG 7).

30. In regard to claim 8, The method of claim 7, wherein the pointing device is a mouse having a first button which, when depressed, implements method step (a), and a second button which, when depressed, implements method steps (b) and (c). A mouse may also be

used and its keys or buttons correspond to commands to the processor (Rodriguez, page 6, paragraph 65).

31. In regard to claims 9, 20, and 25, The method of claim 6, wherein the enlargement feature is operated in conjunction with an electronic programming guide (EPG). See claim 6.

32. In regard to claims 10, 21, and 26, The method of claim 6, wherein the service provider is a multiple system cable operator (MSO), and the local device is a set-top box in communication with a remote server maintained by the MSO and a television. Ramage, Yun, and Killian do not have an MSO, server, or set-top box. Rodriguez teaches MSOs (page 1, paragraph 3), set-top box or DHCT (page 1, paragraph 2), communication between servers and DHCT (FIG 3, elements 319, 328, 325, 322, and 16) and communication between DHCT and a television (FIG 4, elements 16, 441, and 480) because this allows televisions to access data from the servers. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Ramage, Yun, and Killian to include MSO servers, set-top boxes, and communication as taught by Rodriguez because this allows televisions to access data from servers.

33. In regard to claims 11 and 27, The method of claim 6, wherein the enlargement feature is controlled by an infrared (IR) remote control operated by the subscriber. The remote control device 480 pictured is an infrared device (Rodriguez, FIG 7).

34. In regard to claim 22, A method of providing an enlargement feature to a graphical user interface (GUI), the enlargement feature allowing a subscriber to enlarge a selected portion of an original image displayed in the GUI such that the remaining portion of the original image that was not selected for enlargement is not obscured by the enlarged image, and the enlarged image is not transparently superimposed on the remaining portion, the method comprising: (a) a service provider offering the enlargement feature to the subscriber; and (b) in response to the subscriber accepting the offer of step (a), downloading an

enlargement feature application program to a local device that controls the GUI. Note the above rejections to claims 1 and 6.

35. In regard to claim 23, The method of claim 22, wherein the application program comprises computer-executable instructions for: (i) selecting for enlargement a portion of an original image displayed in the GUI; and (ii) displaying, adjacent to an enlarged image of the selected portion, an image of the remaining portion of the original image that was not selected for enlargement, wherein the remaining portion does not include image data displayed by the enlarged image. Note the above rejections to claims 1 and 6.

36. In regard to claim 24, The method of claim 22, wherein the application program comprises computer-executable instructions for: (i) selecting for enlargement a portion of an original image displayed in the GUI; (ii) determining if there is hidden supplemental data that corresponds to the selected portion; and (iii) if it is determined that there is corresponding supplemental data, displaying an enlarged image of the selected portion, the enlarged image revealing the hidden supplemental data. Note the above rejections to claims 1, 2 and 6.

37. In regard to claim 37, The method of claim 31, wherein each of the selectable image portions comprise a window displaying CATV programming information. CATV stands for cable television (Killian, column 3, line 54). CATV programming information is an EPG, and it is displayed on the screen ready for selection.

38. In regard to claim 40, The method of claim 31, further comprising: (d) a service provider offering a subscriber access to an enlargement feature which implements method steps (a)-(c); and (e) in response to the subscriber accepting the offer of step (d), downloading an enlargement feature application program to a local device that controls the display of the digital image. See claim 6.

39. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ramage (4790028) in view of Poston (WO 00/25267). Claim 43 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ramage (4790028), in view Yun (6700624), in further view of Rodriguez (2003/0005453), in further view of Killian (6163316), and in further view of Poston (WO 00/25267).

40. In regard to claims 12 and 43, The method of claim 1, wherein step (a) further comprises superimposing on the original image a floating plane region in the GUI, wherein the location of the floating plane region changes in accordance with which portion of the original image is selected for enlargement. The size and shape of the magnification area may be selected (Ramage, column 7, lines 46-53 and column 5, lines 64-68) so the shape may be a rectangular plane, however this area is not 'highlighted' prior to selection. Because the preferred (not only) method of interacting with Ramage's GUI is by touching the screen and the screen does not know the location of the user's fingers prior to selection, Ramage is lacking a floating panel. Poston magnifies exactly like Ramage and teaches a movable magnifying panel floating above the image (Poston, abstract, FIGs 1 and 2) because this selects an area for enlargement. Therefore, it would have been obvious to one of ordinary skill at the time the invention was made to modify Ramage to have a flying magnifier as taught by Poston because it selects an image for enlargement.

Conclusion

41. Any inquiry concerning this communication or earlier communications from the examiner should be directed to William P Lehner whose telephone number is 703-305-0682. The examiner can normally be reached on 8:30 - 5 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Zimmerman can be reached on 703-305-9798. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

WPL